

EXHIBIT B

FOR SETTLEMENT PURPOSES ONLY
(Ljubica Construction)

Calcalaton for **Juan R Vicente**

Period 1

<u>Assumptions:</u>	Period Worked	April 1, 2015 to December 31, 2015
	Number of weeks worked	39 weeks
	Hours worked/week	80 hours
	Salary	\$120 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$21.00

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 21 \times 40 \times 39 \\ &= \$49,140.00\end{aligned}$$

Period 1 Total = \$49,140.00

Period 2

<u>Assumptions:</u>	Period Worked	January 1, 2016 to October 31, 2016
	Number of weeks worked	43 weeks
	Hours worked/week	80 hours
	Salary	\$120 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$21.00

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 21 \times 40 \times 43 \\ &= \$54,180.00\end{aligned}$$

Period 2 Total = \$54,180.00

Period 3

<u>Assumptions:</u>	Period Worked	November 1, 2016 to November 30, 2016
	Number of weeks worked	4 weeks
	Hours worked/week	80 hours
	Salary	\$120 per day

Unpaid Wages (4 weeks)

$$\begin{aligned}\text{Unpaid Wage} &= (\$21 \times 40 \times \text{weeks worked}) + (\$21 \times 1.5 \times 40 \times \text{weeks worked}) \\ &= (21 \times 40 \times 4) + (21 \times 1.5 \times 40 \times 4) \\ &= \$8,400.00\end{aligned}$$

Period 3 Total = \$8,400.00

Back wage (all periods) = \$111,720.00

NY State Liquidated Damage =	\$111,720.00
Statutory Penalty for Invalid Wage and Hour Notice =	\$5,000.00
Statutory Penalty for Invalid Wage Statement =	\$5,000.00

Total = \$233,440.00

Legal fees and expenses to be determined.

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Calclaton for **Juan Zamora****Period 1**

<u>Assumptions:</u>	Period Worked	January 1, 2016 to August 31, 2016
	Number of weeks worked	35 weeks
	Hours worked/week	80 hours
	Salary	\$160 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$28.00

$$\begin{aligned}
 \text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\
 &= 1.5 \times 28 \times 40 \times 35 \\
 &= \$58,800.00
 \end{aligned}$$

Time Shaving

During this working period, off-the-clock working hours were hours every day.

$$\begin{aligned}
 \text{Unpaid Wage} &= 42 \times \text{hour} \times \text{work days} \times \text{worked weeks} \\
 &= 42 \times \times \times 35 \\
 &= \$0.00
 \end{aligned}$$

Period 1 Total = \$58,800.00**Period 2**

<u>Assumptions:</u>	Period Worked	September 1, 2016 to September 30, 2016
	Number of weeks worked	4 weeks
	Hours worked/week	80 hours
	Salary	\$160 per day

Unpaid Wages (four weeks)

$$\begin{aligned}
 \text{Unpaid Wage} &= (\$28 \times 40 \times \text{weeks worked}) + (\$28 \times 1.5 \times 40 \times \text{weeks worked}) \\
 &= (28 \times 40 \times 4) + (28 \times 1.5 \times 40 \times 4) \\
 &= \$11,200.00
 \end{aligned}$$

Period 2 Total = \$11,200.00**Back wage (all periods) = \$70,000.00**

NY State Liquidated Damage =	\$70,000.00
Statutory Penalty for Invalid Wage and Hour Notice =	\$5,000.00
Statutory Penalty for Invalid Wage Statement =	\$5,000.00

Total = \$150,000.00

Legal fees and expenses to be determined.

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Calcalaton for **Luis Benitez**

Period 1

<u>Assumptions:</u>	Period Worked	June 1, 2014 to October 31, 2014
	Number of weeks worked	22 weeks
	Hours worked/week	80 hours
	Salary	\$120 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$21.00

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 21 \times 40 \times 22 \\ &= \$27,720.00\end{aligned}$$

Period 1 Total = \$27,720.00

Period 2

<u>Assumptions:</u>	Period Worked	November 1, 2014 to December 31, 2014
	Number of weeks worked	9 weeks
	Hours worked/week	80 hours
	Salary	\$150 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$26.25

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 26.25 \times 40 \times 9 \\ &= \$14,176.80\end{aligned}$$

Period 2 Total = \$14,176.80

Period 3

<u>Assumptions:</u>	Period Worked	January 1, 2015 to December 31, 2015
	Number of weeks worked	52 weeks
	Hours worked/week	80 hours
	Salary	\$150 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$26.25

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 26.25 \times 40 \times 52 \\ &= \$81,910.40\end{aligned}$$

Period 3 Total = \$81,910.40

Period 4

<u>Assumptions:</u>	Period Worked	January 1, 2016 to November 30, 2016
	Number of weeks worked	48 weeks
	Hours worked/week	80 hours
	Salary	\$150 per day

Overtime Wage

If fixed salary, average rate of pay per week divided by 40 hours worked per week equals

Regular Rate of: \$26.25

$$\begin{aligned}\text{Unpaid OT} &= 1.5 \times (\text{Regular Rate}) \times (\text{Hours over 40}) \times (\text{Number of Weeks}) \\ &= 1.5 \times 26.25 \times 40 \times 48 \\ &= \$75,609.60\end{aligned}$$

Period 4 Total = \$75,609.60

Period 5

<u>Assumptions:</u>	Period Worked	December 1, 2016 to December 31, 2016
	Number of weeks worked	4 weeks
	Hours worked/week	80 hours
	Salary	\$150 per day

Unpaid Wages (4 weeks)

During this working period, Plaintiff was unpaid for four weeks.

$$\begin{aligned}\text{Unpaid Wage} &= (\$26.25 \times 40 \times \text{weeks worked}) + (\$26.25 \times 1.5 \times 40 \times \text{weeks worked}) \\ &= (26.25 \times 40 \times 4) + (26.25 \times 1.5 \times 40 \times 4) \\ &= \$10,500.00\end{aligned}$$

Period 5 Total = \$10,500.00

Back wage (all periods) = \$209,916.80

NY State Liquidated Damage =	\$209,916.80
Statutory Penalty for Invalid Wage and Hour Notice =	\$5,000.00
Statutory Penalty for Invalid Wage Statement =	\$5,000.00

Total = \$429,833.60

Legal fees and expenses to be determined.